



## U.S. Department of Justice

United States Attorney  
Southern District of New York

FEB 5 2008

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

W.L. February 5, 2008

VIA FACSIMILE

Honorable William H. Pauley  
United States District Court  
Southern District of New York  
500 Pearl Street,  
New York, NY 10007

USDC SDNY  
DOCUMENT  
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DATE FILED: 2/6/08

Re: United States v. David Carmel, 07 Cr. 537 (WHP)

Dear Judge Pauley:

The defendant in the above-referenced matter arrived in this District pursuant to a writ on Wednesday, January 30<sup>th</sup>, 2008, and was presented and arraigned in Magistrate's Court before the Honorable Debra Freeman on Thursday, January 31<sup>st</sup>, 2008. The Government has advised defense counsel Donald Yanella, Esq., that it is in the process of preparing discovery which will be provided to the defense by February 13<sup>th</sup>, 2008.

The Government respectfully requests that the Court schedule a pre-trial conference at the Court's convenience. In addition, because the Government will be providing discovery to the defense, and the defense will be reviewing the discovery, it is also requested that the Court exclude time until the date of the pre-trial conference in the interests of justice, pursuant to 18 U.S.C. § 3161(h)(8)(A), in order to permit the production and review of discovery.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By: Rosemary Nidiry  
Rosemary Nidiry  
Assistant U.S. Attorney  
(212) 637-1063

Application Granted. Conference Scheduled  
for 2-15-08 at  
SO ORDERED: 3:45 PM

WILLIAM H. PAULEY III U.S.D.J.

cc: Donald Yanella, Esq. (By Facsimile)